

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.15953 of 2022

***Prakash @ Prakash Kumar Jally
and others***

Petitioners

Mr. S.K. Barik, Advocate

-versus-

State of Odisha

.... ***Opp. Party***
Mr. M.K. Mohanty, ASC

**CORAM:
JUSTICE CHITTARANJAN DASH**

**ORDER
21.12.2022**

Order No.

- 01.
1. Heard learned counsel for the Petitioners and the State.
 2. This is an application for bail U/s.438 Cr.P.C. filed by the Petitioners in apprehension of arrest for their alleged involvement in the offences U/s.341/332/294/379/427/34 IPC.
 3. Learned counsel for the State submits that there are three criminal antecedents in respect to Petitioner No.1, namely, Prakash @ Prakash Kumar Jally. As regards Petitioner Nos.2 to 7, there is no apparent criminal antecedent in respect to them.
 4. Learned counsel for the Petitioners submits that he does not want to press the bail application in respect of Petitioner No.1, namely, Prakash @ Prakash Kumar Jally.
 5. Accordingly, the bail application of Petitioner No.1 is dismissed as not pressed.

6. So far as Petitioner Nos.2 to 7 are concerned, keeping in view of the nature of allegation, the circumstances appearing, the seriousness and gravity of the offences, while this Court is not inclined to grant anticipatory bail, it is directed that in the event the Petitioners surrender in connection with Krushna Prasad P.S. Case No.171 of 2022 corresponding to G.R. Case No.2298 of 2022 pending in the court of learned S.D.J.M., Puri within a period of two weeks' hence and move for bail, they shall be released on such terms and conditions as would be deemed just and proper by the said court with further conditions that they shall appear in person before the court below on each date of posting of the case unless specifically exempted by the court concerned; shall appear before the IO as and when required; shall not threaten or intimidate the Informant party in any manner whatsoever and shall cooperate with the investigation. Violation of any of the conditions shall entail cancellation of bail of the Petitioners.

7. It is made clear that the learned court below shall verify the criminal antecedent of the Petitioners. In case more than one antecedent is noticed, the order of this Court shall not be given effect to and the court shall be free to deal with the matter of bail according to its merit without further reference to the present.

8. The ABLAPL is disposed of.

(Chittaranjan Dash)
Judge